

In Re: Huang et al.
Page 2

AMENDMENT
Ser. No. 08/192,336

REMARKS

This amendment is in response to the Official Action mailed September 15, 1994 in which claims 1 - 15 were provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 1 - 14 of copending application Ser. No. 07/680,955. In addition, claims 16 - 17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 - 14 of copending application Ser. No. 07/680,955; claim 18 was rejected under 35 U.S.C. §103 as being unpatentable over Chemical Abstracts (114 (10):8722t A. Galatik, "Pharmaceutical preparation based on hyaluronic acid alkali metal salt complexes with multivalent metals") and Derwent (AN 79-32582B abstract of JP-A-54036388 (SUBMITOMO ELEC.IND.KK)) in view of Balazs (U.S. Patent No. 4,141,973).

Applicant has filed herewith as Appendix "A", a copy of the Express Abandonment filed in U.S. Application Ser. No. 07/680,955 on October 21, 1994. In light of the filing of this Express Abandonment, the grounds for the provisional rejection of claims 1 - 15 under §101 and the provisional rejection of claims 16 - 17, under the judicially created doctrine of obviousness-type double patenting, are seen to be removed.

Applicant has canceled claim 18 without prejudice. The rejection of claim 18 under §103 is therefore seen to be obviated.

Claims 1 - 17 remain in the case and are believed to be in condition for allowance. Reconsideration of claims 1 - 17 is earnestly solicited.

Pursuant to the phone conference between the undersigned and Examiner

In Re: Huang et al.
Page 3

AMENDMENT
Ser. No. 08/192,336

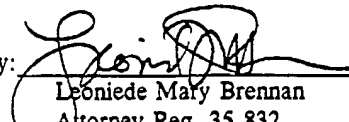
White on December 12, 1994, a copy of the Information Disclosure Statement filed February 4, 1994 with the instant application is included herewith for the Examiner's information and consideration. As discussed in the phone conference, the Official Action mailed September 15, 1994 did not include the form 1449 as filed February 4, 1994. As such, it is not clear whether the subject Information Disclosure Statement has been considered and made of record in the instant application. The Examiner noted that he was unable to access the instant file as it was not in the location indicated by the computer. No fee is seen to be necessary, since the Information Disclosure Statement was filed concurrently with the instant application.

In view of the foregoing, the application is now believed to be in condition for allowance. Early and favorable action thereon is requested.

Respectfully submitted,

Vidas, Arrett & Steinkraus, P.A.

By:


Leoniede Mary Brennan
Attorney Reg. 35,832
Attorneys of Record

Suite 1540 - 920 Second Avenue South
Minneapolis, Minnesota 55402-4014
Telephone No: (612) 339-8801
Facsimile No: (612) 349-6858
F:\WPWORK\LMB\5125-AMD.B14